

**WALDO COUNTY COMMISSIONERS COURT SESSION**  
**AUGUST 12, 2008**

**PRESENT:** Commissioners John M. Hyk (Chairman), Donald P. Berry, Sr. and Amy R. Fowler. Also present were County Clerk Barbara Arseneau and members of the press.

J. Hyk opened the court session at 9:00 a.m.

**MMA DIVIDEND CHECK:**

B. Arseneau reported that Maine Municipal Workers' Compensation representative Matthew Pitcher dropped by the office to submit a dividend check to the County of Waldo in the amount of \$2,392.00. He commended the County Commissioners for having a Generic Training Program established, which assists with keeping claim costs down, improves employee morale and keeps departments working well. He mentioned that Waldo is the only county in Maine with this program in place and asked if he could use it as a model for other counties. The Commissioners authorized this.

**COMMUNICATIONS REPORT:**

Present for this discussion was Communications Director Owen Smith.

1. O. Smith submitted a letter from the Safety/Department Heads Association requesting that the Commissioners consider allowing retirees in good standing to purchase their own health insurance premium through the County's health care plan. It would have a "profound effect" on those who are younger now, particularly those in law enforcement, who need to get out of this job but who are nowhere near retirement age. He did not believe there would be any cost to the County. This would be with whatever health plan the County was in at that time.

J. Hyk asked if this could be part of a union contract and D. Berry replied that it might. There was brief discussion of how this might affect the County's claims history and the review that is done annually in preparation for health insurance bidding. O. Smith commented that he felt that older employees generally cost less in terms of health insurance costs due to "old-school work ethic" and also because they do not have dependant children. The Commissioners continued to discuss this briefly and thanked O. Smith for bringing in this request.

2. O. Smith said he had attended a NENA conference and had learned a lot about domestic violence in the work place. He had also learned that counties with active safety committees are often protected because of this. Waldo County is one of the few counties with an active Safety/Department Head Association.

O. Smith requested an Executive Session for legal and personnel matters.

**\*\*Fowler moved, D. Berry voted to enter Executive Session for legal and personnel matters according to MRSA Title 1, §405(6)(G) at 9:26 a.m. Unanimous.**

**\*\*A. Fowler moved, D. Berry seconded to exit Executive Session at 9:29 a.m. Unanimous. No action was taken.**

## **2009 BUDGET CAUCUS:**

Present for 2009 Budget Caucus were 2008 Budget Committee Members Richard Desmarais, Bill Sneed and James Bennett.

J. Hyk opened the floor for nominations for the ballots for the 2009 Waldo County Budget Committee.

**\*\*B. Sneed moved, J. Bennett seconded to nominate Richard Desmarais from Searsport to serve on the 2009 Waldo County Budget Committee. Passed by two (B. Sneed, J. Bennett) with R. Desmarais abstaining.**

**\*\*R. Desmarais moved, J. Bennett seconded to nominate Bill Sneed to serve on the 2009 Waldo County Budget Committee. Passed by two (J. Bennett, R. Desmarais) with B. Sneed abstaining.**

**\*\*B. Sneed moved, J. Bennett seconded to nominate Richard Crossman from Frankfort to serve on the 2009 Waldo County Budget Committee. Passed unanimously.**

**\*\*J. Bennett moved, R. Desmarais seconded to nominate Tim Biggs from Freedom to serve on the 2009 Waldo County Budget Committee.**

There was brief discussion on the correct procedure for nominating, including a brief review of the related Maine statutes.

**\*\*R. Desmarais moved, J. Bennett seconded to redo the previous votes. Passed unanimously.**

**\*\*B. Sneed moved, J. Bennett seconded to nominate Richard Desmarais for District 2 representative on the ballot for the 2009 Waldo County Budget Committee. Passed by two with R. Desmarais abstaining.**

**\*\*R. Desmarais moved, J. Bennett seconded to nominate Bill Sneed from Prospect to for District 2 representative on the ballot for the 2009 Waldo County Budget Committee. Passed by two, with B. Sneed abstaining.**

**\*\*B. Sneed moved, R. Desmarais seconded to nominate Richard Crossman from Frankfort for District 2 representative on the ballot for the 2009 Waldo County Budget Committee. Passed unanimously.**

**\*\*B. Sneed moved, J. Bennett seconded to nominate Tim Biggs from Freedom for District 3 representative on the ballot for the 2009 Waldo County Budget Committee. Passed unanimously.**

R. Desmarais stated that he would like to receive the Commissioners Court minutes. B. Arseneau explained that she was behind in transcribing those minutes. R. Desmarais stated that he used to receive them but had not for some time. B. Arseneau checked his email address, which was correct in the system, but offered to send a test message so that minutes could be forwarded to him as they were before. R. Desmarais also requested that the County Commissioners consider holding

quarterly Budget Committee meetings so that the Budget Committee could be updated on the current year's budget and "not be in for any surprises." The Commissioners stated that each Commissioners Court Session was open to the public and the Budget Committee could attend those at any time. R. Desmarais stated that he wanted to see the appropriations sheets on a regular basis, which was mainly why he was requesting to have more frequent budget meetings throughout the year. The Commissioners instructed B. Arseneau to speak with the Treasurer's Office to see that the monthly appropriations sheets be sent to R. Desmarais and the rest of the Budget Committee.

### **SHERIFF'S REPORT:**

Present for this report was Sheriff Scott Story, who reported as follows:

1. The State has informed S. Story that it can no longer continue to do the call-sharing with Waldo County as they have been (which is a schedule of one week on; one week off.) S. Story informed the Commissioners that this will affect the Waldo County budget because more county patrol officers will be needed for proper coverage. S. Story said he has already met with the State Police Lieutenant, and S. Story has been assured that the State Police will continue as they are through December of this year because this is how Waldo County budgeted.
2. B. Sneed asked S. Story when the Jail Committee appointments would be final. This would be on August 19<sup>th</sup>.
3. R. Desmarais noted his request for the Budget Committee to be invited in quarterly and apprised of the budget. He also said that he had not talked with any of the other budget committee members, but would like the health insurance line divided up between all the departments because last year a department head said he didn't worry about hiring full-time employees because that was in another budget line. R. Desmarais also stated that he felt that if the Commissioners were having a difficult time with certain aspects of the budget, if the Budget Committee knew about it they might be in a position to assist the Commissioners.

S. Story mentioned that the cost of gasoline is a problem. There was discussion of an anticipated drop in gasoline prices, but R. Desmarais had heard that it would not go down as much as it could because the government wants people to continue to look at alternative energy. S. Story commented that as a result of conservation, including doing stationary radars, his budget was down 1,400 gallons of consumption, but still over-budget due to price of gas.

The Commissioners offered to send the appropriations report monthly to the Budget Committee either by email, if possible, or at least by regular mail.

### **COST OF LIVING INCREASE DISCUSSION:**

S. Story asked if the Commissioners knew what the DOL rate was right now. D. Berry said it was 5%. J. Hyk felt that the County could not go back to the Budget Committee with more than a 3% increase proposal. S. Story stated that he would be losing employees to the State Police because the benefits are better, the salary is better and the retirement plan is better, adding that they also get lifetime health insurance. S. Story expressed his opinion that things would be going back to how it used to be with employees being trained by the County and then leaving for other agencies.

### **REGISTRY OF PROBATE REPORT:**

Present for this report was Register of Probate Pro Tempore Sharon Peavey, with the following items:

1. Probate Clerk Danielle Weeks submitted her resignation on July 22, 2008, effective July 25, 2008.

**\*\*D. Berry moved, A. Fowler seconded to accept the resignation of Danielle Weeks.**

**Unanimous.**

2. S. Peavey has selected Cari L. Emrich of Northport to fill the Probate Clerk position left by Danielle Weeks.

**\*\*D. Berry moved, A. Fowler seconded to accept the hire of Cari L. Emrich for 35 hours per week at a starting rate of \$11.96 per hour, effective July 28, 2008. Unanimous.**

3. S. Peavey wishes to appoint Judy Nealley as Deputy Register of Probate and requested that, since J. Nealley has been employed five years, that she be paid at the five-year level of Class IV.

**\*\*D. Berry moved, A. Fowler seconded to approve the appointment of Judith Nealley from Clerk to Deputy Register of Probate at the five-year level of Class IV. Unanimous.**

#### **COMMISSIONERS BUSINESS:**

A County employee submitted a request to be allowed to enroll in the County's health care plan, since their other access to health care will expire at the end of the year.

**\*\*D. Berry moved, A. Fowler seconded to honor the request of an employee to enroll in the County's health insurance plan effective January 1, 2009. Unanimous.**

#### **TEMPORARY DEPUTY COUNTY CLERK HIRE:**

B. Arseneau informed the Commissioners that after interviews, the recommendation was to hire Karen Clark as Temporary Deputy County Clerk.

**\*\*A. Fowler moved, D. Berry seconded to hire Karen Clark as Temporary Part Time Deputy County Clerk during the leave of Deputy County Clerk Veronica Stover during the months of August through November at \$12.90 per hour for undetermined hours up to 35 per week. Unanimous.**

#### **EMA REPORT:**

Present for this report was EMA Director Dale Rowley, who reported the following:

1. The County Emergency Operations Plan has been updated, and it also includes procedures for dealing with aircraft that go down into local bays. This was a direct result of a recent accident with an airplane that crashed in a local harbor. The person was killed upon impact, but D. Rowley recognized the need to handle such situations in the future. The Commissioners signed this Plan.

3. Recommendations for Amending the Communication Center Bylaws: D. Rowley made the following recommendations for updating the Communications Center Bylaws:

a. Changing "including the President of the Waldo County Firefighters' Association" to read "including the President or Vice-President of the Waldo County Firefighters' Association.

b. OR "including an Elected Officer of the Waldo County Firefighters' Association"

Based on the Commissioners opinion, he would discuss this with the Communications Board of Directors. The Commissioners agreed with the recommended changes.

4. Grant Application Status: D. Rowley reported that the EOC Grant is now at the FEMA level, and the PSIC Grant is now at DHS. D. Rowley stated that he was fairly confident that the tower request, being the first choice, will go through.

5. A Full Scale Exercise is scheduled for August 16, 2008 in Montville. D. Rowley has arranged for local media to be escorted there so that they will “neither get lost, nor get run over.” He was hoping for good media coverage. There will be smoke candles involved and a mock aircraft with six survivors.

6. D. Rowley will be deployed for a week in the National Guard in the near future, and then again for another week later in the year.

#### **CORRESPONDENCE:**

Reporting correspondence to the Commissioners was County Clerk Barbara L. Arseneau, with Temporary Deputy County Clerk Karen Clark recording the minutes, as follows:

1. In 2007, the Maine State Legislature enacted a statute (1 M.R.S.A. § 412) requiring new public officials to participate in training within 120 days of taking office and others already holding office to comply by November 1, 2008. Rudman & Mitchell are offering this training on September 9th and 18th at Bangor City Hall and it is also being offered in Ellsworth on September 24<sup>th</sup> at City Hall. All sessions are at 7 p.m. and last for 1.5 hours.

A. Fowler wondered if this training was being offered on this at the Commissioners Conference, and instructed B. Arseneau to find out.

2. Colonial Life and Disability’s dental rates through Delta Dental are going up approximately \$2.00. Information has been sent to employees.

3. Ann Schneider, Sr. Loss Control Consult of Risk Management Services for the Maine Municipal Association, performed an ergonomic site review of the County Offices. She looked at some sites and will return to look at others (coordinated through Facilities Manager Keith Nealley). She has found some things that need improvement.

4. Kimberly Corley, Swanville Citizen has returned to the Commissioners Office, claiming that the Town of Swanville has not acted on the abatement. Her file has been copied and sent to an attorney. J. Hyk also instructed B. Arseneau to draft a letter to the Attorney General. A. Fowler suggested that the County seek the advice of a property tax lawyer, and made several recommendations. J. Hyk wondered if the matter should be brought up for advice at the Commissioners’ Association meeting tomorrow.

5. Communications Director Owen Smith notified the Commissioners that Dispatcher Colette Narofsky was no longer employed at the Dispatch Center as of Sunday, July 13, 2008.

**\*\*A. Fowler moved, D. Berry seconded to accept cessation of employment for Dispatcher Colette Narofsky effective July 13, 2008. Unanimous.**

6. Communications Director Owen Smith notified the Commissioners that Dispatcher Julia Lawler was no longer employed at the Dispatch Center as of Sunday, July 30, 2008.

**\*\* A. Fowler moved, D. Berry seconded to accept cessation of employment for Dispatcher Julia Lawler effective July 30, 2008. Unanimous.**

7. Communications Director Owen Smith notified the Commissioners that Part-time Dispatcher Elizabeth Daggett has been promoted to Full-time Dispatcher at an hourly rate of \$13.95, effective August 24, 2008.

**\*\*D. Berry moved, A. Fowler seconded to accept the promotion of part-time Dispatcher Elizabeth Daggett to full-time Dispatcher at \$13.95 per hour effective August 24, 2008. Unanimous.**

8. Sheriff Scott Story recommended the hire of Kevin Littlefield as part-time patrol Deputy at the hourly rate of \$13.15, undetermined hours effective July 25, 2008.

**\*\*D. Berry moved, A. Fowler seconded to approve the hire of Kevin Littlefield as part-time patrol Deputy at the hourly rate of \$13.15, undetermined hours, effective July 25, 2008.**

9. The Commissioners noted the pay step increases for the following employees:

- Dispatcher Paul Haskell completed the six-month probationary period and received a step increase from \$13.95 to \$14.42 per hour, effective August 3, 2008.
- Deputy Daniel Thompson reached the one-year step increase from \$15.48 to \$15.70 per hour, effective August 11, 2008.
- Corrections Officer Jennifer Stilkey reached the two-year step with an increase from \$14.73 to \$14.94 per hour, effective August 20, 2008.
- Corporal Robert Cartier will reach the eight-year step with an increase from \$16.35 to \$16.79 per hour, effective August 13, 2008.

10. Brian Pike was hired as part-time Corrections Officer and was to start on July 14, 2008. He has decided not to accept the position.

**\*\*A. Fowler moved, D. Berry seconded to accept the decision of Brian Pike not to accept the position as part-time Corrections Officer. Unanimous.**

11. The deadline for specs/bids for Technology Services is due by August 25, 2008. No bids have been received yet.

12. The Town of Belmont has approached the County to see if any departments have a photocopier that can be donated. Registry of Deeds Deloris Page sent notice to the County Commissioners that she has a spare that she has been saving for emergencies, but have never needed it. She stated that she was willing to donate this copier to the Town of Belmont if they can come pick it up, with permission from the County Commissioners.

**\*\* A. Fowler moved, D. Berry seconded to donate the spare Registry of Deeds' photocopier to the Town of Belmont. Unanimous.**

13. U.S. Board of Geographical Names letter informing Commissioner Hyk that Squaw Head and Squaw Head Point have been renamed to Defense Head and Defense Head Point.

14. B. Arseneau informed the Commissioners that the Commissioners/Treasurer's Offices' postage meter contract expired, noting that the company – Pitney Bowes – has offered an upgraded model at less money (- \$20 per month). The Commissioners agreed to renew the contract under those terms.

15. B. Arseneau reported that Deputy Count Clerk Veronica Stover had researched the cost to purchase updated statutes that would be in book form and available to the public. The estimate is \$2,851.00, but she was able to work a deal with the distributor for \$1,341.60 and the contract would be split up into 12 payment of \$137.00 per month, which would allow for this purchase to start this year and finish in the following. The commissioners agreed to this purchase.

16. A letter has been received from Olga Rumney at the EMA office suggesting that material safety data sheets be prepared for every office. She has volunteered to compile these if each office sends her a list of materials. This suggestion will be included in the Safety Award contest.

17. The Probate Judge has sent word that she is pleased with the Information Technology Memorandum of Agreement as last presented to her.

18. The National Association of Counties (NACo) sent an E-mail request for counties to write the Senate Finance Committee regarding the Fostering Connections to Success Act, which would extend federal foster care payments to youth up to age 21, continue federal assistance to relatives who assume legal guardianship of children eligible for foster care; and would extend adoption assistance and guardianship payments up to age 21 for children who are adopted or enter into guardianship after age 16.

19. The Commissioners asked if the County of Waldo has saved any money through relationship with NACo and were told no. The Commissioners instructed B. Arseneau to look into subscribing the County on the NACO Prescription Discount Rx Card plan.

20. Communications Director Owen Smith sent notice that Sharon Reed Hall has resigned from the Communication Center Board, and requested that the Commissioners please identify someone to replace her.

21. B. Arseneau reported that the policy for donation of sick leave is working well. However, an issue has come to light and has led to the question of which department the donated leave should it be charged to – the donating employee's department, or the department of the employee receiving the donated leave? B. Arseneau suggested using the Severance Reserve for this purpose, to avoid an unanticipated drain on a department's personnel line. After brief discussion, the County Commissioners determined that the leave should be charged to the personnel line of each employee doing the donating. If that line goes "into the red," it should do so with a written explanation (excluding the employee's names for confidentiality purposes.)

22. Owen Smith has notified the Commissioners Office that one of his employees will be retiring in 2009 and it will amount to a fair sum of money. He will send the estimated figure so that the Severance Reserve can be funded accordingly.

## **TREASURER'S REPORT:**

Present with the Commissioners for this report was Treasurer David Parkman and Deputy Treasurer Karen Trussell.

### **REVENUE:**

D. Parkman reported that revenue has been received in the amount of 83% of the anticipated yearly figure. Registry of Deeds fees have been coming in better lately, he reported.

### **APPROPRIATIONS:**

D. Parkman reported that the County budget is expended at 59%, and could be at 64%, so this is good for this time of year.

B. Arseneau read off how much the Commissioners had expended in professional services for union-related matters only and in 2007 it was \$26,262.17 and the total spent so far in 2008 is \$88,370.29.

D. Parkman reported that Interest is at \$19,732.71, pronouncing that "good."

D. Parkman read expenditures from the reserve accounts.

**\*\*D. Berry moved, A. Fowler seconded to pay the July 31, 2008 Accounts Payable Warrant in the amount of \$189,335.70. Unanimous.**

**\*\*D. Berry moved, A. Fowler seconded to pay the July 31, 2008 Reserve Warrant in the amount of \$25,274.32. Unanimous.**

**\*\*D. Berry moved, A. Fowler seconded to pay the August 12, 2008 Accounts Payable Warrant in the amount of \$249,517.80. Unanimous.**

**\*\*D. Berry moved, A. Fowler seconded to pay the August 12, 2008 Reserve Warrant in the amount of \$3,458.51. Unanimous.**

D. Parkman reported that \$167,138.24 in Department of Corrections funds has been received by the County, which is the 80%. This makes \$386,353.41 total in Corrections Reimbursement money sitting in the account. The Treasurer recommended that the Commissioners utilize this money as appropriately in reserve accounts that were low, such as the Severance Account, which has been drained due to the unanticipated number of employees leaving.

J. Hyk recommended replacing the furnace at the Superior Courthouse because the current one is very inefficient and is burning up oil.

The Commissioners discussed using Department of Corrections money to add funding to reserve accounts as follows:

Severance -	\$30,000.00
Courthouse -	\$160,000.00
Facilities-	\$30,000.00
Future County Land and Buildings -	\$50,000.00
Technology -	\$50,000.00



EMA Disaster Recovery -	\$20,000.00
Grant Matching -	\$20,000.00
Records Preservation -	\$10,000.00

**\*\*A. Fowler moved, D. Berry seconded to clarify the wording in the Future County Land and Buildings to include “agency relocation.” Unanimous.**

**\*\*D. Berry moved, A. Fowler seconded to add the funds to the reserves as noted above. Unanimous.**

D. Parkman commended the Commissioners for their foresight in funding the reserve accounts.

Copies of UBS articles from the Wall Street Journal were shared with the County Commissioners. It was agreed that the Commissioners had general questions about the investments.

**\*\*A. Fowler moved, D. Berry seconded accepting the Treasurer’s report. Unanimous.**

#### **MISCELLANEOUS COMMISSIONERS BUSINESS:**

The Commissioners expressed their desire for the Facilities Manager to obtain bids for a new furnace for Superior Courthouse. The Commissioners wanted the files to be reviewed, as a study had been done on this the previous year.

#### **EXECUTIVE SESSION:**

**\*\*Fowler moved, D. Berry voted to enter Executive Session for legal and personnel matters according to MRSA 405 (6)(A) and (D) at 11:27 p.m. Unanimous.**

**\*\*A. Fowler moved, D. Berry seconded exiting Executive Session at 12:01 p.m. Unanimous.**  
No action was taken.

#### **ARCHITECT ROBERT FENNEY - REPORT:**

1. There was discussion on how to proceed with engineering out the bid proposals for a new furnace at the Superior Courthouse. The County Commissioners requested that R. Fenney get this moving along with Facilities Manager K. Nealley. J. Hyk said the Commissioners wanted a secured thermostatic system.

2. **HANDICAP RAMP BIDS:** The handicap ramp bids will be opened and reviewed at 12:00 p.m. today. R. Fenney informed B. Arseneau that an addendum to the specifications had been sent out changing the time from 4:00 p.m. to 12:00 p.m.

One bid was received from Dean Bartlett of Bartlett’s 10-4 Construction at \$11,500.00.

**\*\*D. Berry moved, A. Fowler seconded to accept the bid from Dean Bartlett of Bartlett’s 10-4 Construction at \$11,500.00. Unanimous.**

**\*\*A. Fowler moved, D. Berry seconded to authorize R. Fenney to review the bid proposal paperwork, and if he found this to be satisfactory, one of the County Commissioners will sign the contract and work can begin. Unanimous.**

The Commissioners instructed the County Clerk to be certain that this project be paid from Buildings All Other Reserve account, including the work performed by R. Fenney.

**\*\*A. Fowler moved, D. Berry seconded to entering Executive Session for legal and personnel matters according to MRSA 405 (6)(A) and (D) at 12:10 p.m.**

**\*\*A. Fowler moved, D. Berry seconded to exit Executive Session at 1:12 p.m.**

**COLA RATE:**

**\*\*D. Berry moved, A. Fowler seconded to table setting the COLA rate. Passed by unanimously by two. (J. Hyk was absent.)**

**\*\*D. Berry moved, A. Fowler seconded to direct the Department Heads to prepare their budget requests with the exception of any line pertaining to salaries. Unanimous. If Department Heads have any questions, they can talk to Commissioner Berry.**

**\*\*D. Berry moved, A. Fowler seconded to adjourn the court session at 1:24 p.m. Unanimous.**

**NEXT COMMISSIONERS COURT SESSION:**

The next Commissioners meeting will be August 26, 2008.

Respectfully submitted by *Barbara L. Arseneau*  
Waldo County Clerk